

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT

NOTICE OF FILING

DOCKET NO. 2005-43-S

J. C. Cox Utilities, Inc. (J.C. Cox) and JACABB Utilities, LLC (JACABB), (Joint Applicants) pursuant to 26 S.C. Code Ann., Regs. 103-504 and other applicable rules and regulations of the Public Service Commission of South Carolina (Commission) have filed a Joint Application requesting that the Commission expedite and approve the transfer of the wastewater treatment facility, including infrastructure and all assets without limitation, and all operating authority, (the wastewater treatment facility) serving Forest Hills subdivision, in Anderson County, South Carolina.

J.C. Cox has agreed to transfer and JACABB has agreed to buy the operating assets of the wastewater treatment facility as is more fully set forth in the Agreement which is attached as "Attachment A" in the Joint Application constituting that certain wastewater treatment facility asset purchase agreement bearing the date of November 30, 2004, including an assignment of the operating authority to service all of the customers of the Forest Hills subdivision, and an assignment of any and all easements of the Forest Hills subdivision to the JACABB Utilities, LLC.

The transfer contemplated, after regulatory approvals, will be a final transfer and sale of the wastewater treatment facility and according to the Joint Application, JACABB assumes liability attendant to the operation of the wastewater treatment facility of the Forest Hills subdivision.

Also, according to the Joint Application, this transfer, if approved by the Commission, is subject to the terms, conditions and rates set out in Order No. 2004-101 dated March 11, 2004, in Docket No. 2003-277-S and is subject to the terms and conditions of the NPDES permit issued by the South Carolina Department of Health and Environmental Control and all applicable consent orders between J.C. Cox and the South Carolina Department of Health and Environmental Control.

A copy of the Joint Application is on file in the offices of the Public Service Commission of South Carolina, 101 Executive Center Drive, Columbia, South Carolina 29210; and is available from Charles H. Cook, Esquire, or Scott Elliott, Esquire, Elliott & Elliott, P.A., 721 Olive Street, Columbia, SC 29205.

A public hearing, if scheduled, will be held in Columbia, South Carolina in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

DOCKET NO. 2005-43-S  
NOTICE OF FILING  
PAGE 2

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **May 27, 2005** and indicate the amount of time required for his presentation. *Please refer to Docket No. 2005-43-S.*

Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department in writing, at the address below and Mr. Scott Elliott at the above address, on or before **May 27, 2005** and indicate the amount of time required for his presentation. *Please refer to Docket No. 2005-43-S.*

Any person who wishes to be notified of the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department in writing at the address below on or before **May 27, 2005**. *Please refer to Docket No. 2005-43-S.*

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, S. C. 29211

04/18/05